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IC - MR - GUIDELINES
DCI/IC-78-1587
30 JUL 1976

MEMORANDUM FOR: Director of Central Intelligence

FROM : Admiral Daniel J. Murphy, USN
Deputy to the DCI for the Intelligence
Community

SUBJECT : ICS Guidelines for Interface with the
Staff of the Senate Select Committee
on Intelligence

1. The following is submitted for your approval as operating guidance for the ICS concerning its interface and relationships with the staff of the Senate Select Committee on Intelligence (SSCI).

2. These guidelines recognize that different problem areas will require somewhat different approaches and they are geared essentially to the expected activities of each of the four subcommittees that the SSCI has established.

3. Formal requests from the SSCI for written answers or documentation to be provided by the ICS are to be channeled from the SSCI Staff Director to the Office of Legislative Counsel, and ICS responses will be submitted to OLC and passed to the SSCI subject to OLC controls. This is considered important to assure no impression is created that the SSCI is being treated differently from other Congressional committees with which the DCI has important dealings.

25X1 4. [] will serve as the ICS point of contact for the OLC as regards incoming requests from the SSCI and outgoing responses. He also will be the single point of contact for ICS with the SSCI staff concerning interviews, conferences and the like in which ICS personnel are involved.

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5. The ICS will organize a Coordinating Committee, to which all elements of the Community will be invited to provide representation. This committee will enable all interested organizations to be aware of ongoing or pending SSCI activities, and should provide a means of assuring similarity in guidelines and responses throughout the Community. Situations in which one agency makes a particular document available and another agency withholds a similar document should be avoided. General Thomas will chair this committee.

6. SSCI Subcommittee on Rights of American Citizens

It is expected the informal Intelligence Coordination Group will take the lead role in developing inputs for SSCI use. On behalf of the DCI, however, the ICS will initiate actions as necessary to organize and coordinate responses to this subcommittee, as it did for the 30 June hearing on electronic surveillance legislation. [] will be the primary ICS action officer.

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7. SSCI Subcommittee on Charters

a. Community participation in the work of this subcommittee is expected to involve SSCI staff consultations with the various General Counsels and legal drafting experts rather than the ICS. Much of the subcommittee work will deal with draft legislation relating to individual elements of the Community, such as the CIA and NSA.

b. If, as is now expected, the SSCI involves itself in an examination of the overall structure of the Intelligence Community, it probably will become necessary to form working groups of Community representatives to consult with the SSCI staff. As the need for such groups emerges, the ICS will initiate action to assemble the necessary experts. Because of the exhaustive effort which went into study of alternative organizations both in the Community last fall and more recently in the Department of Defense, no need is seen to initiate Community actions at this time in anticipation of questions which the SSCI might raise.

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8. SSCI Subcommittee on Budget

a. Primary role of this subcommittee will be to develop the authorization line for the National Foreign Intelligence Program, and this is expected to involve the CFI and the ICS closely with work of the subcommittee.

b. The ICS Office of Program and Budget Development will have the leading role in Community support for the Budget Subcommittee. [] will be the primary action officer.

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c. It is important that the ICS be completely outgoing in its responses and provide budget and program data to the SSCI in as much detail as is called for.

9. SSCI Subcommittee on Intelligence Collection, Production and Quality

a. This is the subcommittee for which policy guidance is of most immediate importance since the subcommittee staff has started its individual conferences and interviews. The staff already has indicated it expects to be provided a comprehensive catalog of intelligence products and direct access to a large quantity of such products.

b. An initial important question is whether the ICS should respond for the entire Community, directly arranging for inputs from the separate organizations--as there is indication the SSCI staff director would prefer--or whether the subcommittee staff should deal directly with the individual production organizations--as the subcommittee staff already has started to do with the CIA.

c. The recommended policy is that ICS limit its involvement with this subcommittee to those activities which the ICS conducts and papers which it produces, and that for access to products and related materials and interviews with personnel the subcommittee staff deal directly with individual producing organizations.

d. Under this arrangement, the ICS would be responsible for the release to the SSCI of USIB/NFIB documents, documents prepared by DCI Committees, and those prepared within the ICS.

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e. A catalog of intelligence publications already exists: "A Survey of the Intelligence Community Periodicals," dated 13 April 1976, which was prepared by ICS and distributed by the USIB Secretariat. The ICS recommends this catalog be made available to the SSCI staff. Question is raised as to whether (since it lists 168 DIA publications, 127 NSA publications, and 26 CIA publications) the approval for its release should be obtained from these organizations.

(1) DCI decision on this will set a precedent for future release of NFIB and DCI Committee documents, i.e., can the D/DCI/IC release documents in the name of the DCI without formal concurrence of NFIB Principals, or is such concurrence to be required. The latter course will build in a period of delay to responses to the SSCI staff.

f. Regardless of the degree of concurrence to be sought from Community organizations, it is recommended that the D/DCI/IC be authorized to act for the DCI in approving release of Community documents to the SSCI staff.

10. On the basis of experience during the period in which the Senator Church and Congressman Pike committees were active, several other problems which need to be addressed are these:

a. DCI Spokesman with the SSCI

(1) Last year the DCI employed a Special Counsel (Mitchell Rogovin) to be his spokesman and negotiator with the Church and Pike committees on matters in which the DCI did not personally take part.

(2) It is recommended that the DCI use the Legislative Counsel in this role as regards the SSCI.

b. The White House Role

(1) During much of last year's investigations, White House release approval was required before any

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document could be furnished to the committee staffs. The political sensitivity of the investigations was considered to call for such procedures. In some instances this built in lengthy delays, but in the end, with very few exceptions, requested documents were released. In some instances, the White House staff called for sanitization which went beyond that proposed by the responsible intelligence organization. During the latter stages of the investigations, while there was no official change in policy, only documents which were considered particularly sensitive or which impinged on policy considerations were passed to the White House for clearance prior to release.

(2) It is suggested that the DCI raise with the White House Counsel the matter of White House involvement in the provision of intelligence documents to the SSCI. Considering that it is intended that work with the SSCI not be on an adversary basis, it is recommended that the DCI request that authorization be given him for final determination as to the releasability of documents without referral to the White House unless in his judgment matters of important political sensitivity are involved.

c. Sanitization

(1) During last year's investigations considerable attention was devoted to the sanitization of documents prior to their release to the committee staffs. Primary attention was focused on the protection of sources and methods--which became increasingly important as it became apparent that much of the material provided in classified form was going to be publicly released.

(2) It is recommended that for documents being provided to the SSCI, sanitization be limited to an absolute minimum--the names of agents and other sensitive personnel.

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11. It is recommended that the DCI approve the recommendations set forth in this memorandum as evidence for our working relationships with the SSCI staff.



Daniel J. Murphy

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cc: OLC

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